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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Raymond Avalos,

10 Petitioner,

11 v.

12 Charles L Ryan, et al.,

13 Respondents.
14

No. CV-18-00355-TUC-JGZ

ORDER

15 Pending before the Court are Petitioner's "Motion to Review Verbal Consent or
16 Legal Search Warrant for Blood Draw" and "Motion to Remove Prior Convictions
17 Outlined in A.R.S. § 13-701(f)." (Docs. 65, 66.) The Court will deny both motions.

18 On February 6, 2020, the Court denied Mr. Avalos' Petition for Writ of Habeas
19 Corpus and directed the Clerk of Court to close this case. (Doc. 50.) This Court and the
20 Ninth Circuit both subsequently denied Petitioner's requests for issuance of a certificate of
21 appealability. (Docs. 56, 57.)

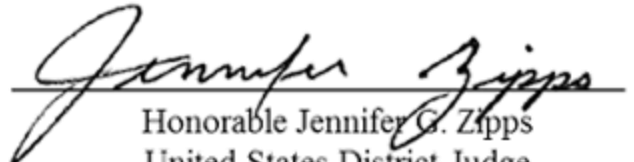
22 The pending motions are more appropriately characterized as a successive petition,
23 as Mr. Avalos seeks further review of the same underlying conviction and sentence. This
24 Court lacks jurisdiction to address his successive habeas petition. *See Cooper v. Calderon*,
25 274 F.3d 1270, 1274 (9th Cir. 2001); *see also* 28 U.S.C. § 2244(b)(3)(A) (identifying
26 claims that may be brought in a successive petition only after the Ninth Circuit issues an
27 order "authorizing the district court to consider a second or successive application").

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1 Accordingly,

2 **IT IS ORDERED** that Petitioner's Motions (Docs. 65, 66) are **DENIED**.

3 Dated this 22nd day of June, 2021.

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6 
7 Honorable Jennifer G. Zipp
8 United States District Judge
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